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DIRECTOR

**COMMONWEALTH OF VIRGINIA**  
*Department Of Human Resource Management*  
*Office of Employment Dispute Resolution*

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**COMPLIANCE RULING**

In the matter of the Department of Corrections  
Ruling Number 2019-4894  
April 1, 2019

The Department of Corrections (the “agency”) has requested a compliance ruling from the Office of Employment Dispute Resolution (“EDR”) at the Department of Human Resource Management<sup>1</sup> in relation to the grievant’s alleged failure to comply with the time limits set forth in the grievance procedure for advancing or concluding his grievance.

On or about December 18, 2018, the grievant initiated a grievance with the agency. The third step response was issued to the grievant on or about February 1, 2019. Having received no further response from the grievant, the agency sent, via U.S. Mail, a notice of noncompliance on March 1, 2019. In its notice of noncompliance, the agency requested a response from the grievant within five workdays of her receipt of the notice. Based on the grievant’s alleged noncompliance with the grievance procedure, the agency seeks a compliance ruling allowing it to administratively close the grievance.

While this ruling was pending, the grievant confirmed to EDR that she does not wish to proceed with her grievance. EDR, therefore, considers this grievance concluded.

EDR’s rulings on matters of compliance are final and nonappealable.<sup>2</sup>

A handwritten signature in black ink, appearing to read "Chris M. Grab", written over a horizontal line.

Christopher M. Grab  
Director  
Office of Employment Dispute Resolution

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<sup>1</sup> The Office of Equal Employment and Dispute Resolution has separated into two office areas: the Office of Employment Dispute Resolution and the Office of Equity, Diversity, and Inclusion. While full updates have not yet been made to the *Grievance Procedure Manual* to reflect this change, this Office will be referred to as “EDR” in this ruling. EDR’s role with regard to the grievance procedure remains the same.

<sup>2</sup> See Va. Code §§ 2.2-1202.1(5), 2.2-3003(G).